

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

PAIGE MCBRIDE

An Individual,

Plaintiff,

VS.

SUZANN WILLE,

JANIETA BOORNT AND

WEBCAM GIRLS UNLIMITED, B.V.

Defendants.

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C.A. No. 5:13-cv-00986-DAE

**PLAINTIFF'S FIRST AMENDED COMPLAINT**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Plaintiff, Paige McBride, by her attorney, files this Original Complaint and for cause, respectfully shows the court as follows:

**JURISDICTION AND VENUE**

1. This is an action to recover money damages and for injunctive relief brought pursuant to the Copyright Act, 17 U.S.C. § 501 et seq. This Court has original jurisdiction over the subject matter pursuant 28 U.S.C. § 1338(a) because this matter concerns infringement of Plaintiff's copyright.

2. Venue in this District is proper pursuant to 28 U.S.C. § 1391(b) because the primary Defendant is a resident of this judicial district. The other defendants appear to be located overseas, but Plaintiff asserts that the court has personal jurisdiction over them because their tortious conduct was directed in part at this District and, because this is a copyright action, venue

is proper wherever personal jurisdiction is proper under 28 U.S.C. § 1400 and relevant case law.

### **PARTIES**

3. Plaintiff, Paige McBride, is an actress who performs in various motion picture entertainment media, primarily distributed via the Internet. Plaintiff brings this action to stop Defendant from copying and distributing unauthorized copies of the motion pictures, “Paige + Matthew.” Plaintiff is and was at all relevant times the copyright owner of the motion pictures in question.

4. On previous information and belief, Defendant Suzann Wille is an individual who appeared to be residing at 2555 N. E. Loop 410, San Antonio, TX 78217.<sup>1</sup> Plaintiff cannot find her at this address and is unaware of her current location.

5. Nothing is known about Defendants Webcam Girls Unlimited, B.V. or Janieta Boorn.

### **NATURE OF THE CASE**

6. On information and belief, Defendant Wille and/or other defendants presently administer and operate the website, webcamgirlsunlimited.com. Through this website, Defendants are reproducing, distributing, and encouraging the reproduction and distribution, of motion picture copies that infringe Plaintiff’s exclusive rights and the exclusive rights of others under U.S. Copyright Law. On information and belief, the overwhelming majority of the videos distributed through the site were not authored by Defendants nor licensed to Defendants for distribution. These unauthorized motion picture copies include Plaintiff’s motion picture “Paige + Matthew.”

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<sup>1</sup> Defendant’s name and address were obtained from the public WHOIS record for webcamgirlsunlimited.com on September 25, 2013.

7. Plaintiff is the exclusive copyright owner in the work in question. Though Plaintiff was not the author of this work, this was a work for hire by written agreement, thus vesting all rights in the work with Plaintiff. For the avoidance of doubt, Plaintiff also acquired explicit assignment of copyright from the author by written and signed agreement. Plaintiff duly submitted this work for registration with the United States Copyright Office and the registration can be tracked by case number 1-999983171. Plaintiff has also paid her registration fee and delivered the required deposit materials (a copy of the work). Together these actions satisfy all requirements for initiating an action for copyright infringement.

8. Defendants are not licensed by Plaintiff to use this work in any manner, and at all relevant times was not and is not authorized by Plaintiff, to reproduce, distribute or otherwise use Plaintiff's work. Defendants are currently engaged in such uses through their website and will continue such uses until enjoined by this Court.

### **COPYRIGHT INFRINGEMENT**

9. Plaintiff realleges and incorporates by reference the allegations of paragraphs 1 through 8 above as if fully set forth herein.

10. Plaintiff is, and was at all relevant times, the beneficial owner of the rights, title, and interest in and to the motion picture "Paige + Matthew."

11. Defendants are reproducing and/or distributing Plaintiff's work through the website webcamgirlsunlimited.com without Plaintiff's authorization or consent.

12. The foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiff.

13. As a result of Defendants' infringement of Plaintiff's exclusive rights under

copyright, Plaintiff is entitled to relief from Defendants pursuant to 17 U.S.C. § 504 and to reasonable attorney's fees and full costs pursuant to 17 U.S.C. § 505.

### **CONTRIBUTORY COPYRIGHT INFRINGEMENT**

14. On information and belief, Defendants are encouraging the uploading of videos to her website without the authorization of the authors of those videos.

15. At a minimum, Defendants are aware that they are distributing some copyrighted videos through their website without authorization from the owners of those videos.

16. Defendants have failed to register a designated agent for infringement notifications with the U.S. Copyright Office. Had Defendants done so, Defendants could possibly avoid infringement liability for infringing content placed on the website by the site's users. However, since Defendants failed to do, Defendants are equally liable for infringement whether Defendants or the site's users placed the infringing content on the website.

### **PRAYER**

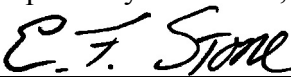
17. Defendants' conduct is causing and, until enjoined and restrained by this Court, will continue to cause Plaintiff great and irreparable injury. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiff is entitled to injunctive relief prohibiting Defendants from further infringing Plaintiff's copyright and ordering Defendants to remove and destroy existing infringing materials.

WHEREFORE, Plaintiff demands a jury trial and prays for judgment against Defendants as follows:

- a. For entry of permanent injunctions providing that Defendants shall be enjoined from directly or indirectly infringing Plaintiff's rights in the copyrighted motion picture,

- “Paige + Matthew.” and any motion picture, whether now in existence or later created, that is owned, licensed to, or controlled by Plaintiff (“Plaintiff’s Motion Pictures”), including without limitation by using the Internet to reproduce or copy Plaintiff’s Motion Pictures, to distribute Plaintiff’s Motion Pictures, or to make Plaintiff’s Motion Pictures available for distribution to the public, except pursuant to a lawful license from Plaintiff.
- b. Defendants shall destroy all copies of Plaintiff’s Motion Pictures that Defendants have downloaded onto any computer hard drive or server without Plaintiff’s authorization and shall destroy all copies of those motion pictures transferred onto any physical medium or device in Defendants’ possession, custody or control.
  - c. Permanent injunction enjoining Defendants from operating the website webcamgirlsunlimited.com and requiring Defendants to disable the website in its entirety.
  - d. For actual damages or statutory damages pursuant to 17 U.S.C. § 504, at the election of the Plaintiff.
  - e. For Plaintiff’s costs.
  - f. For Plaintiff’s reasonable attorney’s fees.
  - g. For such other and further relief as the Court deems proper.

Respectfully Submitted,

s/ 

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